

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: June 21, 2006

Division: Growth Management

Bulk Item: Yes ☐ No ☒

Department: Planning

Staff Contact Person: Ty Symroski

AGENDA ITEM WORDING:

A public hearing to consider a resolution to extend an Interim Development Ordinance (IDO) deferring the acceptance of application for redevelopment and conversion of marine facilities including commercial marinas and working waterfront for 365 days after the original expiration date of Ordinance 017-2005 which new expiration date is July 10, 2007 or when the comprehensive plan and land development regulations becomes effective, whichever comes first.

ITEM BACKGROUND:

Monroe County is experiencing the loss of and redevelopment of marine facilities including commercial marinas and the working waterfront including boatyards, wet storage, fish houses and commercial fishing vessel dockage at an unprecedented rate. The County finds that it is necessary to enact an Interim Development Ordinance deferring the acceptance of development applications that seek development approval for the redevelopment and conversion of marine facilities and working waterfront properties. The County will enter into a contract with South Florida Regional Planning Council to prepare a public water access and marine facilities plan and develop implementation measures including Comprehensive Plan and Land Development Regulations.

PREVIOUS RELEVANT BOCC ACTION:

February 2005-Approved contract with South Florida Regional Planning Council (SFRPC) and Florida Atlantic University (FAU) to complete Marine Management Strategic Plan and complete draft of amendments to the LDRs and Comprehensive Plan.

July 2005-Adopted Ordinance No. 017-2005-An IDO deferring the acceptance of development applications for the redevelopment and conversion of marine facilities.

March 2006-Accepted findings of the Marine Management Strategic Plan.

May 2006-Directed staff to extend the IDO and adopt amendments to the LDRs and the Comprehensive Plan.

CONTRACT/AGREEMENT CHANGES:

N/A

STAFF RECOMMENDATION:

Approval.

TOTAL COST: N/A

BUDGETED: Yes ☐ No ☐

COST TO COUNTY: N/A


SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes N/A No ☐

AMOUNT PER MONTH ____ **Year** ____

APPROVED BY: County Atty X OMB/Purchasing _____ Risk Management _____

DIVISION DIRECTOR APPROVAL: _____


Ty Symroski

DOCUMENTATION: Included X

Not Required ☐

DISPOSITION: _____

AGENDA ITEM # _____

RESOLUTION NO. _____-2006

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS EXTENDING INTERIM DEVELOPMENT ORDINANCE NO. 017-2005 DEFERRING THE ACCEPTANCE OF DEVELOPMENT APPLICATIONS FOR THE REDEVELOPMENT AND CONVERSION OF MARINE FACILITIES INCLUDING COMMERCIAL MARINAS AND THE WORKING WATERFRONT UNTIL LAND DEVELOPMENT REGULATIONS AND COMPREHENSIVE PLAN AMENDMENTS ARE DRAFTED; PROVIDING FOR EXEMPTIONS; PROVIDING FOR TRANSMITTAL TO FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA); AND PROVIDING FOR EXPIRATION WITHIN 365 DAYS OF THE EFFECTIVE DATE OF THE RESOLUTION OR WHEN THE AMENDMENTS BECOME EFFECTIVE, WHICHEVER COMES FIRST.

WHEREAS, the Monroe County Board of County Commissioners make the following findings of facts:

1. On July 20, 2005 the Board of County Commissioners adopted Ordinance No. 017-2005 deferring the acceptance of development applications for the redevelopment and conversion of marine facilities including commercial marinas and the working waterfront until land development regulations are drafted; and
2. Section 10 of Ordinance No. 17-2005 provides that the ordinance shall stand repealed as of 11:59 p.m. on the 270th day after the effective date of the Ordinance, unless repealed sooner by the Board of County Commissioners or upon the adoption by the Board of County Commissioners and approval by the Florida Department of Community Affairs of amendments to the Comprehensive Plan and Land Development Regulations addressing public access and marine facilities.
3. Ordinance No. 17-2005 directed staff to contract with the South Florida Regional Planning Council to prepare a public access and marine facilities plan and suggested implementation measures, including Comprehensive Plan amendments and Land Development Regulations.
4. Unless extended, Ordinance No. 17-2005 expires and stands repealed on July 11, 2006.
5. The Board of County Commissioners adopted the Marine Management Strategic Plan on March 15, 2006.
6. The tasks of preparing and adopting amendments to the Land Development Regulations and the Comprehensive Plan to protect the against the loss of working waterfronts and public access due to the redevelopment of marine facilities and the working waterfront, including boatyards, wet storage of vessels and boats, fish houses and commercial fishing vessel dockage, commercial marinas have not been completed.

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
MONROE COUNTY, FLORIDA:**

Section 1. That Interim Development Ordinance No. 017-2005 is hereby extended for 365 days after the original expiration date of Ordinance No. 017-2005 which new expiration date is July 10, 2007 or when the amendments to the land development regulations and comprehensive plan to facilitate preservation of working waterfront areas become effective, whichever comes first.

Section 2. All exemptions as stated in Section 4 of Ordinance No. 017-2005 and all application of ordinance as stated in Section 5 of Ordinance No. 017-2005 shall remain.

Section 3. All deferrals as stated in Section 6 of Ordinance No. 017-2005 shall remain.

Section 4. If any section, subsection, sentence, clause, item, charge or provision of this resolution is held invalid, the remainder shall not be affected by such invalidity.

Section 5. This resolution shall be transmitted to the Florida Department of Community Affairs pursuant to Chapter 380, Florida Statutes, and the DCA is requested to review and approve it by Immediate Final Order in accordance with Section 120.569(2)(n), Florida Statutes, in recognition of the public importance of retaining the working waterfront, marine facilities, and public access, and to prevent the threat of further loss thereof as “an immediate danger to the public health, safety, or welfare”.

Section 6. This resolution shall be filed in the Office of the Secretary of State of the State of Florida.

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**Working Waterfront
IDO Extension**

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the ____ day of _____, 2006.

Mayor Charles "Sonny" McCoy	_____
Mayor Pro Tem Dixie Spehar	_____
Commissioner George Neugent	_____
Commissioner David Rice	_____
Commissioner Glenn Patton	_____

**BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA**

BY _____
Mayor Charles "Sonny" McCoy

(SEAL)

ATTEST:

DANNY L. KOLHAGE, CLERK

By: _____

Deputy Clerk

